

FILED8-25-2008
AUG 25 2008IN THE UNITED STATES DISTRICT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISIONMICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Jamal Akbar

Plaintiff)

No. 08 C 101

vs.)

Honorable Joan B. Gottschall
Judge Presiding

Nedra Chandler

Defendant.)

NOTICE OF FILING

TO: LEA T. NACCA

Assistant Attorney General

General Law Bureau

100 W. Randolph St., 13th Fl

Chicago, Illinois 60601

PLEASE TAKE NOTICE that on August 21, 2008, the attached RESPOND and requesting MOTION FOR INSTANTER was filed with the Clerk of the United States District Court, Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois 60604, a copy of which is served upon you at the address indicated above.

Respectfully submitted,


Jamal Ali Akbar, pro - se**CERTIFICATE OF SERVICE**

The undersigned being duly sworn upon oath deposes and states that a true and correct copy of the foregoing was served upon the above named address indicated by U.S. MAIL on August 21, 2008.

/s/ 

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**PLAINTIFF'S MOTION TO RESPOND TO DEFENDANT'S REPLY/MOTION FOR
INSTANTER**

NOW COMES Jamal Akbar, pro se, requesting this Honorable Court to resolve this issue of transfer venue 28 U.S.C. s 1404 (a). It is clear the defendant wants to engage in legal gymnastics. Plaintiff lawfully contends this Honorable Court has **broad discretion** reasoning being the Court's discretion acts as a safeguard for both parties.

The defendant mention the plaintiff willing and able to travel over 100 miles from Chicago to visit an inmate at Dixon and Pontiac Correctional Centers on more than one occasion, the Court should not that the plaintiff was gainfully employed at the time.

The issue before this Honorable Court are that these documents (3) in numbers:

1. Institutional report;
2. Local Police report;
3. State Police report verifying a **disturbance** from the plaintiff.

These documents can be forwarded by way of **U.S. Mail**; the outward actions of the defendant are clues to why they want a transfer venue to keep in place the common understanding and practice those **ex-offenders** cannot visit Dixon Correctional Center.

Are the actions of the defendant constitutional or unconstitutional, is there statutory authority to support the defendant's actions in the absence of a legitimate state interest, the defendant should have considered this long term visiting privilege without a single incident. The defendant is constitutionally forbidden to allow all her preconceived notions, her prejudices and the like, to contaminate the decision making process.

Should the defendant be required to ride in the back of the bus because of the color of her skin? In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. Plessy v. Ferguson, 163 U.S. 537, 552 (1896).

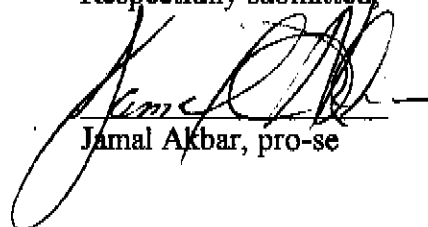
Constitutional rights should not be frittered away by arguments so technical and unsubstantial. The Constitution deals with substance, not shadows. **Milwaukee Social Democratic Publishing Co. v. Burleson, 225 U.S. 407, 431 (1921).** Let justice be done though the heavens fall. Sir James Mansfield, English jurist; chief justice. Rex. v. Wilkes (1769), 4 Burr. Part IV., p. 2549.

14th Amendment has exclusive reference to state action, and means that no agency of state, or officers or agents by whom powers are exerted, shall deny any person within her jurisdiction equal protection of law. Cooper v. Aaron, (1958) 358 US 1, 3 L.Ed 2d 5, 78 S.Ct. 1401. Under Administrative Procedure Act, reviewing court should reverse agency's decision only if it is arbitrary, capricious, abuse of discretion, or otherwise not in accordance with law or if decision is unsupported by substantial evidence in administrative record. **5 U.S.C.A. sec 706 (2).** The plaintiff trusts in the juridical wisdom of the Honorable Court and its ability to administer justice.

The plaintiff encounter one Correctional Official on the day in question without incident and was informed to write the defendant named herein, at which time plaintiff did and the reply has been entered as **exhibit (1)** in this cause of action.

WHEREFORE, the Plaintiff pray that the Defendant's Motion is denied based on longstanding Constitution law.

Respectfully submitted,



Jamal Akbar, pro-se